IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 296 of 2005

Between:

1 R.V.K. Gandhi, S/o. R. Suryanarayana,
Officer in A.G. Office, R/o. D.No. 6-5-340, New Bhoiguda, Secunderabad.
2 Sri Ch. V. Sai Prasad, S/o. Late Ch. Krishna Murthy,
Asst.Audit Officer, A.G. Office, R/o. D.No. 2-2-185/39,

R.K. Nagar, Bagh Amberpet, Hyderabad.

...PETITIONERS

AND

1 The Divisional Co-operative Officer, Secunderabad Division, Hyderabad.
2 The A.G. Office Staff Co-op. Credit Society Ltd. Saifabad, Hyderabad, rep by its Chairman
3 The Collector (Co-operation), Hyderabad District, Hyderabad.
4 Sri K. Janardhan, Election Officer, (Asst. Registrar), A.G. Office, Staff Co-op. Credit Society Ltd. Saifabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to set aside the proceedings in Rc.No. 1/04-Ele. dated 17-12-2004 of Respondent No. 3, appointing Respondent No. 4 as Election Officer to conduct Elections as illegal and arbitrary.

Counsel for the Petitioners: MR.N.V.RAMA KRISHNA

Counsel for the Respondents: GP FOR COOPERATION

The Court at the admission stage made the following :

O R D E R:

The petitioners challenge the notification issued by the third respondent, proposing to conduct elections to the Managing Committee of the petitioners' society. One of the contentions was that the order of superseding the Managing Committee of the society was challenged in C.T.A.No.200 of 2002, and that elections were conducted in the mean while.

After filing of the writ petition, the Cooperative Tribunal had since disposed of the C.T.A.No.200 of 2002, and set aside the order of supersession. In that view of the matter, elections cannot be held.

Therefore, the writ petition is allowed, and it shall be open to the respondents to conduct elections only after the expiry of the term of the Managing Committee. There shall be no order as to costs.

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4th February, 2005

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To

1 The Divisional Co-operative Officer, Secunderabad Division, Hyderabad.
2 The Chairman, The A.G. Office Staff Co-op. Credit Society

Ltd. Saifabad, Hyderabad.

3 The Collector (Co-operation), Hyderabad District, Hyderabad.
4 Sri K. Janardhan, Election Officer, (Asst. Registrar), A.G. Office, Staff Co-op. Credit Society Ltd. Saifabad, Hyderabad.

5 Two C.Cs. to the Government Pleader for Cooperation,

High Court buildings, Hyderabad (OUT)

6 Two C.D.copies